



सत्यमेव जयते

# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport & Highways, Govt. of India)

परियोजना कार्यान्वयन ईकाई-रूड़की,

### Project Implementation Unit-Roorkee

मकान नं० 446/1 जादुगर रोड, 37 सिविल लाईन, रूड़की-247667

House No. 446/1 Jadugar Road, 37 Civil Lines, Roorkee-247667

दूरभाष/Phone : 01332-357626, ई-मेल/E-mail: piuroorkee@nhai.org

NHAI/PIU-RRK/66001/BM/Spur Haridwar/2021/ 5478



Date: 09-06-2022

To,

**Divisional Forest Officer,**

Social Forestry Division, Saharanpur

Saharanpur, Uttar Pradesh

**Sub:** Diversion of forest land for the development of 6-lane (greenfield) access-controlled spur to Haridwar from Delhi-Saharanpur-Dehradun Economic Corridor Section of NH 344BG from 0.000 to Km19.070 in Saharanpur district of Uttar Pradesh State and Km. 19.070 to Km 50.700 in Haridwar District of Uttarakhand State under Bhurutmala Pariyojana- **Regarding Compliance of EDS dated 28.04.2022**

**Ref:**

1. EDS dated 28.04.2022
2. FP/UP/ROAD/145614/2021

Sir,

With reference to the EDS raised on 28.04.2022, point-wise compliance of the observations are as follows.

Sr. No.	Forest Point	Compliance
1	Please Submit FRA Certificate	FRA undertaking is enclosed As Annexure-I. FRA file is under process at DM Level will be submitted during Stage-I compliance.
2	Please Submit Joint Inspection Report	Joint inspection with RFO was conducted on 09.03.2022 and Site inspection was conduction on 26.05.2022 with DFO, NHAI official and Range officer. Joint inspection report is available with RFO.

In view of the above, you are requested to accept the proposal for further proceedings.

Thanking You,

Yours Faithfully,

**Pradeep Singh Gusain**  
GM (T) cum Project Director  
NHAI, PIU-Roorkee

**Encl:** As above

## **Annexure-I**

**Name of Project:** - Diversion of forest land for the development of 6-lane (greenfield) access-controlled spur to Haridwar from Delhi-Saharanpur-Dehradun Economic Corridor Section of NH 344BG from 0.000 to Km19.070 in Saharanpur district of Uttar Pradesh State and Km. 19.070 to Km 50.700 in Haridwar District of Uttarakhand State under Bharatmala Pariyojana.

### **FRA Undertaking as per FCA-1980**

This is to certify that FRA certificate will be submitted as Stage-I compliance as per MoEFCC File No. 11-43/2013-FC (Copy of notification is attached as Annexure-II) guideline for “Diversion of forest land for the development of 6-lane (greenfield) access-controlled spur to Haridwar from Delhi-Saharanpur-Dehradun Economic Corridor Section of NH 344BG from 0.000 to Km19.070 in Saharanpur district of Uttar Pradesh State”



**Pradeep Singh Gusain**  
GM (T) cum Project Director  
NHAI, PIU-Roorkee

**Date:- 09.06.2022**

**Place: Roorkee**



Government of India  
Ministry of Environment, Forest and Climate Change  
(FC Division)

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi-110003

Dated: <sup>28th February</sup> ~~January~~, 2019

To,  
The Principal Secretary/Secretary (Forests)  
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers  
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

- (e) *the District Collector shall*
- (i) *complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.*
  - (ii) *obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and*
  - (iii) *forward his findings in this regard to the Conservator of Forests*
- (f) *the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.*
- (g) *the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.*

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I



condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)  
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(ROHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)  
Dy. Inspector General of Forests

O/C

12/3/19